

**BEFORE THE UNITED STATES JUDICIAL PANEL  
ON MULTI-DISTRICT LITIGATION**

---

IN RE TERRORIST ATTACKS ON )

SEPTEMBER 11, 2001 )

---

1:03-MDL-1570

*This filing pertains to:*

*Burnett, et al. v. The Islamic Republic of Iran, et al., Case No. 1:15-CV-09903 (GBD)*

**NOTICE OF POTENTIAL TAG-ALONG ACTION**

Plaintiffs in the above-captioned case, by and through counsel, hereby file this Notice of Tag Along Action pursuant to MDL Rule 7.1(a). Specifically, Plaintiffs and their counsel wish to notify the Judicial Multi-District Litigation Panel of the filing of a case related to *Ashton, et al. v. Al Qaeda Islamic, et al.* and multiple other cases which were previously transferred by the MDL Panel into the multidistrict litigation proceedings in the United States District Court for the Southern District of New York, where they are pending before the Honorable George B. Daniels, U.S.D.J., as part of the multidistrict proceedings entitled *In Re: Terrorist Attacks On September 11, 2001*, 03 MDL 1570 (GBD) (FM).

The related case is *Burnett, et al. v. The Islamic Republic of Iran, et al.* 1:15-CV-09903 (GBD). *Burnett, et al. v. The Islamic Republic of Iran, et al.* was filed on December 18, 2015, in the U.S. District Court for the Southern District of New York. Many of the same defendants are involved in both *Ashton* and *Burnett, et al. v. The Islamic Republic of Iran, et al.* In both *Ashton* and *Burnett, et al. v. The Islamic Republic of Iran, et al.*, as well as in other cases in the multidistrict litigation, Plaintiffs allege the Islamic Republic of Iran, the Supreme Leader and

other high office holders of Iran, and Iran's agencies and instrumentalities, as well as the unincorporated association Hezbollah, directly and materially supported al Qaeda and Osama bin Laden in connection with the September 11, 2001 terrorist attacks.

On December 18, 2015, *Burnett, et al. v. The Islamic Republic of Iran, et al.* Plaintiffs filed a Related Case Statement (*see* ECF No. 3 in Case No. 1:15-CV-09903-GBD) indicating that the case was related to the *Ashton* case. On January 4, 2016, the United States District Court for the Southern District of New York entered a docket entry indicating that the case was accepted as related to the *Ashton* case.

DATED: August 12, 2016

MOTLEY RICE LLC

By: /s/ Jodi Westbrook Flowers  
Jodi Westbrook Flowers, Esq. (SC Bar No. 66300)  
Michael Elsner, Esq. (NY & VA ME-8337)  
Robert T. Haefele, Esq. (SC75266, DC1007583,  
NJ845666, PA57937, NY845666 – RH-2811)  
MOTLEY RICE LLC  
28 Bridgeside Blvd.  
Mount Pleasant, SC 29464  
Tel. (843) 216.9000  
Fax (843) 216.9450  
rhaefele@motleyrice.com

- and -

Donald A. Migliori, Esq. (RI 4936; MA 567562;  
and MN 0245951)  
MOTLEY RICE LLC  
600 Third Avenue, Suite 2101  
New York, NY 10016  
Tel (212) 577-0040  
Fax (212) 577-0054

**CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Notice of Tag Along Action is being filed through the ECF/CM system and that all registered users will be served through that system. I further certify that the Defendants named in the tag along action have failed to appear in all related actions and defaults have been entered against these defendants in each of the related actions. A copy of this Notice of Tag Along Action is being filed through the ECF/CM system in the Southern District of New York, No. 1:15-cv-09903. A copy of this Notice of Tag Along Action is also being filed through the ECF/CM system in the Southern District of New York, No. 1:03-md-01570 and will be served through that system upon all counsel involved in all related cases transferred to MDL 1570.

/s/ Jodi Westbrook Flowers  
Jodi Westbrook Flowers, Esq. (SC Bar No. 66300)  
Michael Elsner, Esq. (NY & VA ME-8337)  
Robert T. Haefele, Esq. (SC75266, DC1007583,  
NJ845666, PA57937, NY845666 – RH-2811)  
MOTLEY RICE LLC  
28 Bridgeside Blvd.  
Mount Pleasant, SC 29464  
Tel. (843) 216.9000  
Fax (843) 216.9450  
rhaefele@motleyrice.com